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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91165600
Party	Defendant Qualitest USA LC Qualitest USA LC 3706 N. Ocean Blvd., #200 Fort Lauderdale, FL 33308
Correspondence Address	MICHAEL B. CHESAL, ESQ. KLUGER, PERETZ, KAPLAN, & BERLIN, P.A. 1700 MIAMI CENTER 201 S. BISCAYNE BOULEVARD MIAMI, FL 33131
Submission	Unopposed Motion to Suspend Pending Inter Partes Proceeding
Filer's Name	Michael B. Chesal
Filer's e-mail	trademarks@kpkb.com
Signature	/Michael B. Chesal/
Date	07/28/2005
Attachments	suspend.pdf (2 pages)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

MOCK, INC.

Opposition No.: 91165600

Opposer,

v.

**UNOPPOSED MOTION TO SUSPEND
PENDING INTER PARTES
PROCEEDING**

QUALITEST USA LC,

Applicant.

In re: Serial No.: 76486306

Applicant, Qualitest USA LC, by and through undersigned counsel and pursuant to 37 C.F.R. §2.117 and TBMP 510.02(a), hereby moves to suspend the proceedings, and states:

Opposer has sued Applicant in the United States District Court for the Western District of Tennessee, Case No. 2:05cv2033-B, for causes of action arising from the same set of operative facts raised in the subject opposition. Because resolution of the federal action is likely to be dispositive of the opposition, the opposition proceeding should be suspended pending resolution of such action. See TPMB Rule 510.02 (a). Counsel for Opposer informed undersigned that Opposer does not oppose this motion.

Wherefore, Applicant, Qualitest USA LC, respectfully requests that Opposition No. 91165600 be suspended pending disposition of Western District of Tennessee Case No. 2:05cv2033-B. Opposer's counsel indicated his counsel consents to the Board granting this motion.

Respectfully submitted,

Dated: 7/28/05

KLUGER, PERETZ, KAPLAN & BERLIN, P.L.
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By: 

Michael B. Chesal, Esq.

M. Keith Lipscomb, Esq.

CERTIFICATE OF SERVICE

I hereby certify that a copy of this UNOPPOSED MOTION TO SUSPEND PENDING INTER PARTES PROCEEDING is being served by facsimile and regular U.S. Mail, postage prepaid to Andrew D. Dorisio, King and Schickli, PLLC, 247 North Broadway, Lexington KY 40507 this 28 day of July, 2005.

